

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**PROPOSED AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
AUGUST 10, 2004
9:00 A.M.**

ROLL CALL

Invocation – Police Chaplain Carlos Flores
Pledge of Allegiance

REGULAR AGENDA

1. Discussion and action on a Motion directing Staff to develop a comprehensive plan/ordinance to preserve the natural state of all arroyos within the City limits. Staff shall make extensive use of citizen input in developing the plan/ordinance and shall review similar preservation efforts undertaken by other cities. Staff shall report back to City Council with their recommendations, together with a plan/schedule for implementation, within 180 days. [Richard Schecter]
2. Discussion and Action on a Motion to expand the open meeting and notification requirements of the Planning Commission as follows:

Regardless of any wording to the contrary above, the Planning Commission shall be required to hold an open meeting/hearing on any new action proposed for a parcel/tract that was previously subject to a contested hearing. The petitioner shall be responsible for notifying all previous participants of record (of the contested action(s)) regarding the subject, date and time of the new hearing. [Richard Schecter]

MAYOR'S PROCLAMATION

National Airborne Day

CERTIFICATE OF APPRECIATION

***Presentation of appreciation for Lela Ruck
by Representative Robert A. Cushing, Jr., District 2.***

NOTICE TO THE PUBLIC

All matters listed under the **CONSENT AGENDA**, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

3. APPROVAL OF MINUTES: [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meetings of July 20, and August 3, 2004, and Special City Council Meetings of August 2, and August 4, 2004.

4. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

5. RESOLUTIONS:

5A. That the City of El Paso Arts and Culture Department's 18th Revision of the Direct Funding Program Guidelines be approved, as recommended by the Arts and Culture Advisory Board and Staff. **(All Districts)**
[Arts and Culture, Alejandrina Drew, (915) 541-4481]

5B. That the City of El Paso Arts and Culture Department's El Paso Festivals and Cultural Events Projects Funding Program Guidelines be approved, as recommended by the Arts and Culture Advisory Board and Staff. **(All Districts)**
[Arts and Culture, Alejandrina Drew, (915) 541-4481]

5C. That the Mayor be authorized to sign a grant application in the amount of \$10,000 on behalf of the Arts and Culture Department for submission to the Texas Commission on the Arts (TCA) and to sign the related contract and documents should funds be granted, either in the requested amount or at such lesser amount as may be approved by the TCA. This grant will be used to obtain consulting services for the drafting of a three-to five-year Strategic Plan for the Arts and Culture Department. **(All Districts)**
[Arts and Culture, Alejandrina Drew, (915) 541-4481]

5D. That the Mayor be authorized to sign on behalf of the City, a Contract of Sale between the CITY OF EL PASO and RAFAEL QUINONES & CELIA G. QUINONES for the purchase of Lot 6, (Replat 26 and 27), Block 7, STILES GARDEN, El Paso, El Paso County, Texas, also known as 315 Dodge Road, to be used as additional right-of-way related to the Hawkins Extension Project. **(District 3)** [Building and Planning Services, Patricia D. Adatao, (915) 541-4853]

- 5E.** The Mayor is hereby authorized to sign on behalf of the City, an Amendment to a Local Transportation Project Advance Funding Agreement for the STP-Metropolitan Mobility Project known as Lee Trevino Extension Project in El Paso, Texas. The Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution. **(All Districts)**

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5F.** That the El Paso City Council authorizes the Mayor to execute the Mayor's certificate indicating public approval required by Section 147(f) of the Internal Revenue Code and the General Certificate of the City as to the status of the El Paso Housing Finance Corporation in connection with the issuance by El Paso Housing Finance Corporation of its Single Family Mortgage Revenue Bonds series 2004A and its single Family Mortgage Revenue Bonds series 2004B.

[El Paso Housing Finance Corporation, Jerry Kurtyka, (915) 541-4845]

- 5G.** That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art.

[El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

Event:	Seminar and lunch
Licensee:	Greater El Paso Chamber of Commerce
Date:	August 25, 2004
Time:	8:00 a.m. - 2:00 p.m.
Area(s):	Auditorium and Executive Dining Room
Charge for Space:	\$750.00
Charge for Staff (est):	-0-
Charge for Insurance:	\$48.00

- 5H.** That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

[El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

Event:	Reception
Licensee:	Mounce, Green, Myers Law Firm
Date:	August 26, 2004
Time:	6:00 p.m. - 8:00 p.m.
Area(s):	Special Events
Charge for Space:	\$1,500.00
Charge for Staff (est.):	\$320.00
Charge for Insurance:	(carry their own)
Rental of Furniture/Equipment:	\$50.00

- 5I.** That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **SLI Engineering, Inc.**, for a project known as **"Montwood Street and Drainage Improvements"**, in an amount not to exceed ONE HUNDRED THIRTY-SIX THOUSAND FOUR HUNDRED TWENTY-FOUR and 09/100 DOLLARS (\$136,424.09). **(Districts 5 and 7)**

[Engineering Department, Irene Ramirez, (915) 541-4431]

- 5J.** That the Mayor be authorized to sign an Agreement for Architectural Services by and between the **CITY OF EL PASO** and **Ron Brown Architects**, for a project known as “**Ysleta and Henderson Health Centers**”, in an amount not to exceed THIRTY-ONE THOUSAND EIGHT HUNDRED EIGHTY and 75/100 DOLLARS (\$31,880.75). **(Districts 6 and 8)**
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 5K.** That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **SLI Engineering, Inc.**, for a project known as “**Alabama Street Improvements**”, in an amount not to exceed ONE HUNDRED TWENTY-FIVE THOUSAND THREE HUNDRED TWO and 31/100 DOLLARS (\$125,302.31). **(Districts 2 and 4)**
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 5L.** That the Mayor be authorized to sign a Contract of Sale between the CITY OF EL PASO and SIERRA BLANCA VOLUNTEER FIRE DEPARTMENT, HUDSPETH COUNTY, TEXAS for the sale of one 1978 4x4 Pierce Mini-Pumper 1 Ton Fire Truck and one 1987 Ford ¾ Ton Flatbed Truck with Skid-Mounted Darley Pump, Air Compressor and Tank at a sale price of FIFTEEN THOUSAND DOLLARS AND NO/100 CENTS (\$15,000.00).
[Fire Department, Chief Roberto Rivera, (915) 771-1000]
- 5M.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **SUSANA C. SALAS**, to assist the Mayor and City Council as a Secretary I at an hourly rate of \$9.97 for 40 hours per week. The term of the contract shall be for the period of July 28, 2004 through June 14, 2005.
[Mayor & Council, Jim Martinez, (915) 541-4015]
- 5N.** That the Mayor be authorized to sign a Contract amendment between the **CITY OF EL PASO** and **BLANCA M. GONZALEZ**, to add fringe benefits to the contract. As a full time contractor, eligibility for fringe benefits is standard.
[Mayor & Council, Jim Martinez, (915) 541-4015]
- 5O.** That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

CAROLINA RECREATION CENTER**DEPARTMENT ID: 51510073, ACCOUNT 502214**

- | | | |
|----|--------------|---|
| 1. | CONTRACTOR: | Joshua Allen Avery, Referee for Soccer & Basketball |
| | DATES: | September 01, 2004 through August 31, 2005 |
| | RATE PER HR: | \$5.90 |
| | CONTRACT NO: | 2004/2005-035 |
| 2. | CONTRACTOR: | Rebecca Becerra, Aerobic Instructor |
| | DATES: | September 01, 2004 through August 31, 2005 |
| | RATE PER HR: | \$15.70 |
| | CONTRACT NO: | 2004/2005-036 |

3. CONTRACTOR: Ricardo Lerma, Boxing Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$10.30
 CONTRACT NO: **2004/2005-037**
4. CONTRACTOR: Virginia Quinonez, Aerobic Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$10.30
 CONTRACT NO: **2004/2005-038**
5. CONTRACTOR: Maria Isabel Reyes, Folklorico Dance Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$10.30
 CONTRACT NO: **2004/2005-039**
6. CONTRACTOR: Lujana Romo, Ballet Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$10.30
 CONTRACT NO: **2004/2005-040**
7. CONTRACTOR: Consuelo Sanchez, Body Toning Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$8.80
 CONTRACT NO: **2004/2005-041**
8. CONTRACTOR: Richard Velez, Kung Fu Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$9.55
 CONTRACT NO: **2004/2005-042**
9. CONTRACTOR: Jesus Manuel Vargas, Scorekeeper
 DATES: September 01, 2004 through August 31, 2005
 RATES PER HR: \$5.90
 CONTRACT NO: **2004/2005-043**

MULTI-PURPOSE COMMUNITY CENTER**DEPARTMENT ID: 51510032, ACCOUNT: 502214**

10. CONTRACTOR: Arturo Saldana, Guitar Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATES PER HR: \$12.00
 CONTRACT NO: **2004/2005-044**

5P. That the Mayor be authorized to send thirty (30) day written notice to Cutter Aviation El Paso, Inc. to terminate the sublease agreement as referenced in Article I., Section 1.02 of the sublease agreement by and between the City of El Paso and Cutter Aviation El Paso, Inc., relating to the Non-Commercial Aviation Ground Lease dated June 1, 1994 for the real property located at Lot 28, Block 4, El Paso International Airport Tracts Unit 2, and Lots 29 and 30, Block 4, El Paso International Airport Tracts Unit 1, for the sub-lease of a hangar for use by the Police Department for the period of December 1, 2003 through November 30, 2006. [Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 5Q.** That the Chief of Police be authorized to submit a grant application from the El Paso Police Department and the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the Wilma Donohue Moleen Foundation, in the amount of \$9,686, for the purpose of paying a portion of the salary and benefits for one full-time Youth Offender Project coordinator and one police officer who assist juvenile offenders and at-risk youth to pursue higher educations and careers. Matching funds are not required.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5R.** That the Chief of Police be authorized to submit a grant application from the El Paso Police Department and the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the Hervey Foundation, in the amount of \$9,686, for the purpose of paying a portion of the salary and benefits for one full-time Youth Offender Project coordinator and one police officer, who assist juvenile offenders and at-risk youth to pursue higher educations and careers. Matching funds are not required.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5S.** That the Chief of Police be authorized to submit a grant application from the El Paso Police Department and the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the R.D. & Joan Dale Hubbard Foundation, in the amount of \$14,530, for the purpose of paying a portion of the salary and benefits for one full-time Youth Offender Project coordinator and one police officer who assist juvenile offenders and at-risk youth to pursue higher educations and careers. Matching funds are not required.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5T.** That the Chief of Police be authorized to submit a grant application from the El Paso Police Department and the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the Burkitt Foundation, in the amount of \$14,530, for the purpose of paying a portion of the salary and benefits for one full-time Youth Offender Project coordinator and one police officer who assist juvenile offenders and at-risk youth to pursue higher educations and careers. Matching funds are not required.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5U.** That the Chief of Police be authorized to submit a grant application from the El Paso Police Department and the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the Marlene & J.O. Stewart Jr. Foundation, in the amount of \$14,530, for the purpose of paying a portion of the salary and benefits for one full-time Youth Offender Project coordinator and one police officer, who assist juvenile offenders and at-risk youth to pursue higher educations and careers. Matching funds are not required.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

5V. That the Chief of Police be authorized to submit a grant application from the El Paso Police Department and the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the Cimarron Foundation, in the amount of \$14,530, for the purpose of paying a portion of the salary and benefits for one full-time Youth Offender Project coordinator and one police officer who assist juvenile offenders and at-risk youth to pursue higher educations and careers. Matching funds are not required.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

5W. That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for: [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
8210 Carpenter Road (District 7)	\$168.87	\$65.19	\$234.06

5X. That the Mayor be authorized to sign the grant application and related documents for the certified grant from Dell Computer Inc. for a grant in the amount of \$10,000.00 to set up a One Day Event at the Citizen Collection Sites on November 15, 2004 in conjunction with Texas Recycles Day to recycle electronic components from the community. The In-Kind Services required for this grant is \$1,458.00. **(All Districts)**
[Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

5Y. That the Mayor, pursuant to applicable federal regulations, be authorized to sign Representations and Certifications from the Environmental Protection Agency (EPA) regarding disposal services at McCombs Landfill. **(District 4)**
[Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

5Z. That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **BRENT PEARSON**, to assist the Streets Department as an Arborist, at a biweekly rate of \$1,488.59 for 40 hours per week. The term of the contract shall be for the period of August 13, 2004 through August 12, 2005. Contract is subject to the concurrence of the Civil Service Commission.
[Street Department, Daryl W. Cole, (915) 621-6750]

6. Request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Library Information Specialist I (1)
[Library, Carol Brey-Casiano, (915) 543-5406]

7. Request for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:
- 7A. Automotive Service Worker II (1)
[Fleet Services, Jeff Belles, (915) 621-6821]
- 7B. Library Information Manager (1)
[Library, Carol Brey-Casiano, (915) 543-5406]
8. **BOARD APPOINTMENTS:**
- 8A. Aurora Valverde to the Mayor's Advisory Board on Aging by Mayor Joe Wardy.
[Mayor Joe Wardy, (915) 541-4145]
- 8B. Tanny Berg to the International Bridge Commission by Representative Austin, District 1. [Representative Susan Austin, (915) 541-4886]
9. **RESIDENTIAL STREET LIGHT(S):** Approve installation, power, and maintenance of residential street light(s) at the following location(s):
- 9A. Between 11808 and 11212 Jim Thorpe Dr. Cost: \$1,200 **(District 6)**
[Representative Paul J. Escobar, (915) 541-4182]
- 9B. Between 11432 and 11436 Tom Ulozas Dr. Cost: \$1,200 **(District 6)**
[Representative Paul J. Escobar, (915) 541-4182]
10. Request that the following installment agreements for **AD VALOREM** taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City: [Tax Office, Juan Sandoval, (915) 541-4369]
- 10A. PID #'s H487-000-0140-0600 & H487-000-0140-0700, \$195.94 per month installments on a balance of \$2,351.28 for 1995, 1996, 1997, 1998, 1999, 2000 & 2002 taxes; Armando Armas – No address Assigned. **(District - County)**
- 10B. PID #R330-999-0050-0700, \$431.92 per month installments on a balance of \$2,591.52 for 2001, 2002, & 2003 taxes; George Wheeler – 5204 Marietta. **(District 1)**
- 10C. PID #1997-999-2731-0034, \$748.66 per month installments on a balance of \$8,983.92 for 2002 & 2003 taxes; Hobart Sales & Service % GCOR, Inc. – 6596 Montana. **(District 3)**

11. APPLICATION FOR TAX REFUND: [Tax Office, Juan Sandoval, (915) 541-4369]

UPS Supply Chain Solutions, Inc. in the amount of \$3,952.37 overpayment of 2003 taxes. (PID #1995-999-0846-0042)

12. DISCRETIONARY FUNDS:

- 12A.** Request to allocate \$250.00 from District I discretionary funds to assist with the Neighborhood Summit to be held on August 28, 2004, conducted by the City of El Paso's Neighborhood's First initiative. [Representative Susan Austin, (915) 541-4886]
- 12B.** Request authorization to allocate \$2,350.00 from District #3 Discretionary Funds to provide a speed hump on Franklin and Dale Road.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12C.** Authorization to disburse \$250 from District 3 Discretionary Funds to assist in the "Neighborhood Summit" which will be conducted by the City Neighborhood's First Initiative on August 28, 2004 at the University of Texas at El Paso.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12D.** Authorization to disburse \$3,651.00 from District 3 Discretionary Funds to provide Seville Community Center with a 20x20x9 standard pyramid shade port, thus providing better and expanded usage of the center.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12E.** Request authorization to allocate NINE HUNDRED EIGHTY-TWO DOLLARS (\$982.00) from District #4 Discretionary Funds Account to install park benches at Dolphin Terrace Park. [Representative John F. Cook, (915) 541-4140]
- 12F.** Authorization to allocate \$500 from District No. 6 Council Special Projects (discretionary funds) for one tool shed for Keep El Paso Beautiful Community Tool Sheds Program. [Representative Paul J. Escobar, (915) 541-4182]
- 12G.** Authorization to use District VII discretionary funds in the amount of \$250.00 to assist with the "Neighborhood Summit" to be held on August 28, 2004, conducted by the City of El Paso's Neighborhood's First initiative.
[Representative Vivian Rojas, (915) 541-4108]
- 12H.** Request authorization to allocate \$1,699.00 from District #7 Discretionary Funds to install an intermediate pole between 552 & 554 Riverview and go overhead to corner. [Representative Vivian Rojas, (915) 541-4108]

- 13.** Request that the Director of Purchasing be authorized to issue a Purchase Order to EMSysystem in the amount of \$27,184.88 EMSysystem is the sole provider of a web based Ambulance/Hospital Diversion & Event Management application. Contract No. 2003-218, Contract term September 1, 2004 through August 31, 2005 and/or any extension thereof.

Additional, it is requested that Mayor be authorized to sign any additional documents, contract, and/or agreements.

Award amount is \$27,184.88
 Funds available in: 41150023-06086-502215 Grant G410425
 Miscellaneous Health Grants – Public Health Prep F04–
 Outside Contracts
 Department: Health Environmental District
 [Purchasing Department, Ray Heredia, (915) 541-4316]

14. REQUEST FOR PROPOSAL:

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

Bid No.: 2004-205R Performance Auditing Services for Delinquent Tax
 Collection Service Contract
 Award to: Lauterback, Borschow & Co., P.C.
 El Paso, Texas
 Item (s): All
 Amount: \$29,000.00
 Department: Office of Management and Budget
 Funds available: 99011273-01101-505413
 Funding source: Office of Management & Budget-
 Operating Funds Special Items
 Total award: \$29,000.00
District (s): All

The review committee for the Award of Performance Auditing Services For Delinquent Tax Collection has met and reviewed the responsive Proposals that were received. It is the recommendation of the committee to award the RFP to this firm. The proposal response addressed the scope and intent of the RFP.

Additionally, random companies were selected from the list that had expressed interest in the RFP to determine why they did not submit responses. Most companies declined to submit a proposal.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

[Purchasing Department, Ray Heredia, (915) 541-4316]

15. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

15A. Bid No.: 2004-163 Basketball Court Rehabilitation III, Estrella Rivera & Mary Webb Parks
 Contractor: JMZ Contractors, Inc.
 El Paso, Texas 79936

Department: Parks & Recreation
 Funds available: 71150069-G7129CD0035-07776-508027
 71150069-G7129CD0037-07778-508027

Funding source: Community Development-CDBG Grant
 Item (s): Base Bid I \$63,000.00
 Base Bid II \$21,000.00

Total award: \$84,000.00
District (s): 8

The Departments of Purchasing, Engineering, Community Development and Parks & Recreation recommend the award of this contract to JMZ Contractors, Inc. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Barbara Crumley, (915) 541-4315]

15B. Bid No.: 2004-183 Zaragosa Port of Entry Weight Scale
 Contractor: J&J General Contracting, Inc.
 El Paso, Texas

Department: Street Department
 Funds available: 31260001-PPWBR03006-60609-508027
 32000082-PPWBR03006-43001-508027

Funding source: FY03 Certificates of Obligation and Bridge Revenue Bonds
 Item(s): Base Bid \$127,071.07
 Total award: \$127,071.07
District (s): 6

The Departments of Purchasing, Engineering and Streets, recommend the award of this contract to J&J General Contracting, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Barbara Crumley, (915) 541-4315]

15C. Bid No.: 2004-202 Compactor Rental (Refuse Service)
Award to: El Paso, Disposal, LP
El Paso, TX
Item (s): All
Amount: \$16,125.00 (estimated)

Department: Department of Aviation
Funds available: 62620005-502204-40101
Funding source: Airport Operating Fund
Total award: \$16,125.00 (estimated)
District (s): 3

The Department of Aviation and the Purchasing Department recommend award as indicated to the sole responsive offer that was received.

This is a twelve (12) month requirements-type Contract for the El Paso International Airport.

Vendor offers the City the option of extending the term of the contract for twelve (12) or twenty-four (24) additional months at the same unit prices, if the option is exercised within one (1) year from the date of award of the contract.

Vendor does not offer a prompt payment discount.

The Contract will officially begin at 12:01 A.M., September 1, 2004.

[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

15D. Bid No.: 2004-211 TASER Weapons and Accessories
Award to: TASER International, Inc.
Scottsdale, AZ
Item (s): All
Amount: \$299,181.30

Department:	Police	
Funds available:	508007-16371-21150060-P500231 (Confiscated Funds) 508007-29209-04200401-PMB0005009 (Capital Funds)	
Funding source:	Federal Confiscated Funds	\$149,590.65
	Capital Funds	\$149,590.65
Total award:		\$299,181.30
District (s):	All	

The Police and Purchasing Departments recommend award as indicated to the sole responsive, responsible offer meeting specifications, which was submitted by TASER International Inc.

This is a requirements type contract with an initial term of twenty-four (24) months. Vendor offers the City the option to extend the term of the contract at the same prices for two (2) additional years if the option is exercised within two (2) years from the date of award.

2% prompt payment discount offered if paid within 10 days.
[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

15E. Bid No.: 2004-213 Fotonovelas, Revistas, &
Spanish Language Magazines
Award to: Mexico Magazine Distribution
El Paso, Texas
Item (s): #1 (all)
Amount: \$25,000.00 (estimated annually)

Department:	Library
Funds available:	31130563-508039-PPW0056003YR2-60005
Funding source:	Books and Materials
Total award:	\$75,000.00 (estimated)
District (s):	All

The El Paso Public Library and Purchasing Departments recommend award as indicated to the sole responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor also offers the City a prompt payment discount of 4% 10 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

15F. Bid No.: 2004-217 Channel #1 Fence
 Contractor: J.A.R. Concrete, Inc.
 El Paso, Texas 79925

Department: Engineering
 Funds available: 14200402-PBE04FC103-29113-508027
 Funding source: 2004 General Obligation Bond
 Item (s) Base Bid \$102,000.00
 Total award: \$102,822.00
District (s): 4

The Department of Purchasing and Engineering recommend the award of the Base Bid of this contract to J.A.R. Concrete, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Barbara Crumley, (915) 541-4315]

15G. Bid No.: 2004-220 PTO Parts & Service
 Award to: G.O.T. Supply, Inc.
 El Paso, Texas

Item (s): Part A, Part B, & Part C
 Amount: \$25,000.00 (estimated annually)

Department: Fleet Service
 Funds available: 37370510-503121-45202
 Funding source: Fleet Service Internal Service Fund
 Total award: \$75,000.00
District (s): All

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

15H. Bid No.: 2004-223 Universal Joints & Related Products
Award to: Main Auto Parts
El Paso, Texas
Item (s): Group I, item #1, Group II, item #1
Amount: \$25,000.00 (estimated annually)

Department: Fleet Service
Funds available: 37370510-503121-45202
Funding source: Fleet Service Internal Service Fund
Total award: \$75,000.00 (estimated)
District (s): All

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within two (2) years from the date of the award.

Vendor also offers the City a prompt payment discount of 2% ten (10) days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

15I. Bid No.: 2004-224 Proprietary Parts & Service-Komatsu
Award to: Road Machinery Co.
El Paso, Texas
Item (s): Part A, #1 & 1A, Part B (all)
Amount: \$100,000.00 (estimated annually)

Department: Fleet Service
Funds available: 37370510-503121-45202
Funding source: Fleet Service Internal Service Fund
Total award: \$300,000.00 (estimated)
District (s): All

The Fleet Service and Purchasing Departments recommend award as indicated to the sole responsive offer meeting specifications, from responsible parties.

No options offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

16. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]**16A. BT2004-989 NON-DEPARTMENTAL**

To cover tuition reimbursement costs until the end of the year.

Increase	\$42,000	to	09010030/01101/504424	Tuition Reimb
Decrease	\$42,000	from	99010273/01101/504405	OperCntgncy

16B. BT2004-1028 AIRPORT

Transfer of funds to cover the cost of repair work to jet bridges at the airport to include canopies, flashing, drive motors, tires and routine maintenance and inspection.

Increase	\$35,000	to	62620005/40101/502226	BldgFacMaint
Increase	\$35,000	to	62620005/40101/407001	Intrfd Trf In
Increase	\$35,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$35,000	to	62620018/P50000241021/507001	IntrfdTrfOut

16C. BT2004-1036 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$126,523 within the Zoo Parking Garage project to realign the project budget to fund purchase orders and to appropriate \$345,210.07 from a Zoo Parking Garage Land Acquisition project to the Zoo Parking Garage construction project to fund purchase orders. Funding source is 2000 QOL bonds. **(District 3)**

Decrease	\$ 25,210.07	from	31130614/PPW005700860072/508000	Land
Increase	\$ 25,210.07	to	14101003/PQLZO10360303/407001	IntrfdTrf(S)
Increase	\$ 25,210.07	to	31130614/PPW005700860072/507001	IntrfdTrf(U)
Increase	\$ 25,210.07	to	14101003/PQLZO10360303/508009	Furn&Fix
Decrease	\$150,000.00	from	31130614/PPW005700860072/508024	Testing
Increase	\$150,000.00	to	14101003/PQLZO10360303/407001	IntrfdTrf(S)
Increase	\$150,000.00	to	31130614/PPW005700860072/507001	IntrfdTrf(U)
Increase	\$150,000.00	to	14101004/PQLZO10360303/508024	Testing
Decrease	\$170,000.00	from	31130614/PPW005700860072/508027	Construction
Increase	\$170,000.00	to	14101004/PQLZO10360303/407001	IntrfdTrf(S)
Increase	\$170,000.00	to	31130614/PPW005700860072/507001	IntrfdTrf(U)
Increase	\$170,000.00	to	14101003/PQLZO10360303/508027	Construction
Increase	\$ 25,000.00	to	14101003/PQLZO10360303/508009	Furn&Fix
Increase	\$ 93,038.00	to	14101003/PQLZO10360303/508027	Construction
Increase	\$ 8,485.00	to	14101003/PQLZO10360303/508050	Design
Decrease	\$117,273.00	from	14101003/PQLZO10360303/508024	Testing
Decrease	\$ 9,250.00	from	14101003/PQLZO10360303/508022	Administration

16D. BT2004-1046 PARKS AND RECREATION

This transfers existing appropriations to fund increased expenses for irrigation water in Land Management.

Increase	\$ 2,000	to	51010262/01101/504101	Water
Decrease	\$ 2,000	from	51010256/01101/503111	CleaningSup
Increase	\$12,000	to	51010262/01101/504101	Water
Decrease	\$12,000	from	51010256/01101/503116	RecSup

Increase	\$ 408	to	51010262/01101/504101	Water
Decrease	\$ 408	from	51010256/01101/503120	Uniform& Appl
Increase	\$ 1,500	to	51010262/01101/504101	Water
Decrease	\$ 1,500	from	51010256/01101/503121	InvtryPurhase
Increase	\$ 5,500	to	51010262/01101/504101	Water
Decrease	\$ 5,500	from	51010256/01101/503122	MaintPts&Sup
Increase	\$ 1,500	to	51010262/01101/504101	Water
Decrease	\$ 1,500	from	51010256/01101/503206	OfficeEqMaint
Increase	\$ 2,000	to	51010262/01101/504101	Water
Decrease	\$ 2,000	from	51010256/01101/504414	Prof License
Increase	\$ 1,000	to	51010262/01101/504101	Water
Decrease	\$ 1,000	from	51010256/01101/503101	Min OfficeEq
Increase	\$15,730	to	51010262/01101/504101	Water
Decrease	\$15,730	from	51010256/01101/502212	Security
Increase	\$10,800	to	51010262/01101/504101	Water
Decrease	\$10,800	from	51010262/01101/502212	Security

16E. BT2004-1097 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$26,877.08 to fund construction of the Zaragosa POE Weight and Motion Scales. Funding source is previously issued revenue bonds. **(District 6)**

Increase	\$24,106.37	to	32000082/PPWBR0300643001/508027	Construction
Increase	\$ 1,270.71	to	32000082/PPWBR0300643001/508051	PrgMgmt
Increase	\$ 1,500.00	to	32000082/PPWBR0300643001/508024	Testing
Increase	\$26,877.08	to	32000082/PPWBR0300643001/407002	EstRev

16F. BT2004-1116 POLICE

This transfer will place additional funding in accounts that have excess expenditures posted to them.

Decrease	\$8,400.00	from	21010071/01101/502400	Bldg Lses
Increase	\$8,400.00	to	21010059/01101/502304	Mailrm Chgs
Decrease	\$ 13.21	from	21010060/01101/503107	Photography
Increase	\$ 13.21	to	21010052/01101/503107	Photography
Decrease	\$ 43.81	from	21010071/01101/504201	TvlEmployees
Increase	\$ 43.81	to	21010059/01101/504203	TvlMileage

17. BUILDING PERMITS AND INSPECTIONS - REFUNDS:**17A. Building Permit refund to James Dewane in the amount of \$60.00.**

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

17B. Building Permit refund to Jimmie J. Medina in the amount of \$550.00.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

18. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

- 18A.** Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Mesa) on August 28, 2004, September 11, 2004, September 12, 2004, and October 31, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 4,500 spectators are anticipated. PERMIT NO. 04-070 **(District 1)** [Kenneth Rico Velasquez]
- 18B.** Rim-University Neighborhood Association to block off 700 Block of Blacker Ave. between Ochoa and Virginia St. on September 12, 2004 from 5:30 p.m. to 8:30 p.m. for a block party. Approximately 200 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT NO. 04-073 **(Districts 1 and 8)** [E.R. Lilly]
- 18C.** Mision Iglesia Universal de Jesucristo to use amplification (2 microphones, 2 speakers, 1 mixer, 1 set of drums, 1 guitar, 1 organ and 1 base) at the Boys Club Park-811 S. Florence on August 14, 2004 and August 15, 2004 from 7:00 p.m. to 9:00 p.m. Approximately 15 persons will take part and 45 spectators are anticipated. PERMIT NO. 04-078 **(District 8)** [Raul Raygoza]

REGULAR AGENDA

19. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

- 19A.** An ordinance granting a special privilege to AT&T Corporation permitting the encroachments onto public rights-of-way with two (2) one point nine inch (1.9") subsurface Inner-ducts (PVC pipes), two (2) subsurface Four Foot by Four Foot (4"X4") concrete manholes, and, one (1) subsurface three quarter inch (3/4") fiber optic cable along Magoffin Avenue between Ochoa Street and Campbell Street, Ochoa Street between Magoffin Avenue and Myrtle Avenue, and along Myrtle Avenue between Ochoa Street and Campbell Street. (SP-04021, Total Annual Fee: \$2,640.00) **(District 8)**
[Building Permits & Inspections, Raymond Bonilla, (915) 541-4767]

- 19B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I -- One-Way Streets) To add a new location on Boston Avenue, Westbound from Campbell Street to Kansas Street **(District1)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 19C.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add New Locations on Geranium Drive from Zaragoza Road to a Point 200 Feet East, Both Sides and On Cristo Viene Drive From Zaragoza Road to a Point 150 Feet West, Both Sides. The Penalty Being as Provided in Section 12.84.010 of the El Paso Municipal Code. **(District 6)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 19D.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add A New Location on Lee Elder Drive From Montwood Drive to a Point 280 Feet North, Both Sides. The Penalty Being as Provided In Section 12.84.010 Of The El Paso Municipal Code. **(District 5)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 19E.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add New Locations On Robert Wynn Street From Montwood Drive to a Point 210 Feet North, Both Sides. And On Robert Wynn Street from Montwood Drive to a Point 370 Feet South, Both Sides. The Penalty Being as Provided in Section 12.84.010 Of The El Paso Municipal Code. **(District 5)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 19F.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection K (Speed Limits On Interstate Highway 10) Of The El Paso Municipal Code, To Temporarily Reduce The Existing Speed Limit of 60 M.P.H. To 50 M.P.H. On IH-10, Both Directions From Executive Center to US 62/180 (Paisano Drive) For the Duration of The IH-10 From Executive Center to US 62/180 (Paisano) Construction Project. The Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code. **(District 8)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 19G.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Of The El Paso Municipal Code, To Delete Subsection Identifying The Speed Limit As Thirty-Five Miles Per Hour On Glengarry Avenue from McRae Boulevard to Darlina Drive. The Penalty Is As Provided In Section 12.84.010 of The El Paso Municipal Code. **(District 3)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 19H.** An ordinance amending Ordinance 8064, Civil Service Rules and Regulations, to change references made to the Chief Administrative Officer and Mayor to the City Manager as necessitated by the transition to a Council-Manager form of government. [Human Resources, Terry A. Bond, (915) 541-4509]

- 19I.** An ordinance amending Ordinance 8065, Civil Service Rules and Regulations, to change references made to the Chief Administrative Officer and Mayor to the City Manager as necessitated by the transition to a Council-Manager form of government. [Human Resources, Terry A. Bond, (915) 541-4509]
- 19J.** An Ordinance amending Ordinance No. 14171, to redesignate the officer for public information for the City of El Paso; and to clarify the application of the charges set forth in Ordinance No. 14171.
[Mayor & Council, Jim Martinez, (915) 541-4015]
- 19K.** An Ordinance repealing Ordinance Nos. 15529 and 15185 and establishing a new Ordinance that creates and establishes the duties of the Building and Planning Services Department. [Mayor & Council, Jim Martinez, (915) 541-4015]
- 19L.** An Ordinance repealing Ordinance Nos. 15546 and 15186 and establishing a new Ordinance that creates and establishes the duties of the Municipal Services Department. [Mayor & Council, Jim Martinez, (915) 541-4015]
- 19M.** An Ordinance repealing Ordinance Nos. 15531, 15239 and 15184 and establishing a new Ordinance that creates and establishes the duties of the Financial and Administrative Services Department.
[Mayor & Council, Jim Martinez, (915) 541-4015]
- 19N.** An Ordinance repealing Ordinance Nos. 15530 and 15187 and establishing a new Ordinance that creates and establishes the duties of the Quality of Life Services Department. [Mayor & Council, Jim Martinez, (915) 541-4015]
- 19O.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.92 (Ethics); Section 2.92.050 (Standards of Conduct) to change the reference to the Chief Administrative Officer to the City Manager; the penalty being as provided in Sections 2.92.090 and 1.08.010 - 1.08.030 of the El Paso Municipal Code.
[Mayor & Council, Jim Martinez, (915) 541-4015]
- 19P.** An Ordinance to Amend Title 15 (Public Services), by amending Chapter 15.08 (Street Rentals), Section 15.08.012 (Application for Franchise) to revise Subsection 15.08.012.A; and Section 15.08.013 (Assignment of Franchise), to revise Subsection 15.08.013A, to change the references to the position of Chief Administrative Officer to the City Manager.
[Mayor & Council, Jim Martinez, (915) 541-4015]
- 19Q.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.60 (Flood Damage Prevention); Section 18.60.420 (Designation of the Floodplain Administrator), Section 18.60.430 (Duties and Responsibilities of the Floodplain Administrator), Section 18.60.440 (Duties and responsibilities of the Deputy Chief Administrative Officer) and Section 18.60.450 (Duties and Responsibilities of the Street Director) of the El Paso Municipal Code.
[Mayor & Council, Jim Martinez, (915) 541-4015]

- 19R.** An Ordinance establishing the functions of the Department known as the City Manager's Office. [Office of Management and Budget, David Almonte, (915) 541-4011]

PUBLIC HEARING WILL BE HELD ON AUGUST 24, 2004 FOR ITEMS 19A – 19R

- 19S.** An Ordinance changing the zoning of a portion of Tract 3, Block 3, Picnic Grove Subdivision, El Paso, El Paso County, Texas (9725 Alameda Avenue) from M-1/sc (Light Manufacturing/special contract) to C-4/sc (Commercial/special contract). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Arturo Martinez. ZON04-00082. **(District 6)**
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

- 19T.** An Ordinance changing the zoning of West 50' of Lot 30, Block 7, Magoffin Homestead Addition, El Paso, El Paso County, Texas (1127 East San Antonio Avenue) from A-3/H (Apartment/Historic) to S-D/H (Special Development/Historic). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Alberto J. De La Chica, Jr. ZON04-00085. **(District 8)**
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

PUBLIC HEARING WILL BE HELD ON AUGUST 31, 2004 FOR ITEMS 19S– 19T

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

20. MAYOR AND COUNCIL:

- 20A.** Discussion and action on a tourism budget proposal for billboards, brochures, signage, and bus wraps. [Representative Daniel S. Power, (915) 541-4189]
- 20B.** Discussion and action that the City of El Paso partner with the Empowerment Zone on the development of Texas Avenue as a tourism district, and instruct staff to prepare proposal(s) to be presented to city council within 180 days.
[Representative Daniel S. Power, (915) 541-4189]
- 20C.** Discussion and Action on the adoption of strategic and funding priorities for the Community Development Block Grant (CDBG) Social Service Collaboratives for the 31st CD Program Year (2005-2006), including, but not limited to, revising the funding allocations to the Social Service Collaboratives approved at the July 9, 2004 Special City Council Meeting. [Representative John F. Cook, (915) 541-4140]

- 20D.** Discussion and action to instruct staff to review for the purpose of creating an ordinance requiring the permit registration of any and all businesses involved in the transporting of and the facilitating of liquid waste within the City of El Paso, and to bring this information to Mayor and Council within 30 days.
[Representative Jose Alexandro Lozano, (915) 541-4515]

21. EL PASO COUNTY 911 DISTRICT:

Approval of El Paso County 911 District FY04-05 budget.
[Joseph Lorkowski, Director, (915) 562-3911 ext 10]

22. ENGINEERING:

- 22A.** Discussion and action on approval of Conditional "B" building permits for Columbia North Subdivision. **(District 4)**
[Engineering Department, Bashar Abugalyon, (915) 541-4157]
- 22B.** Discussion and action on approval of Conditional "B" building permits for Tierra Del Este Unit Twenty Three. **(District 5)**
[Engineering Department, Bashar Abugalyon, (915) 541-4157]
- 22C.** Discussion and action on approval of Conditional "B" building permits for Tierra Del Este Unit Twenty Eight. **(District 5)**
[Engineering Department, Bashar Abugalyon, (915) 541-4157]

23. PLANNING, RESEARCH AND DEVELOPMENT:

- 23A.** Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership. **(District 1)**
[Planning, Research & Development, Rudy Valdez, 541-4635]
- 23B.** Resolution that the El Paso City Council hereby authorizes the Planning, Research and Development Director to sign and submit City-initiated street vacation application for portion of Sun Bowl Drive. **(District 8)**
[Planning, Research & Development, Rudy Valdez, 541-4635]

24. PURCHASING DEPARTMENT:

24A. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Bid No.:	2004-178	Lower Valley Branch Library
Contractor:		Banes General Contractors, Inc.
		El Paso, Texas

Department:	Library	
Funds Available:	31130562-60004-PPW0056006YR2-508027	
Funding Source:	2000 Quality of Life Bonds	
Items:	Base Bid I	\$2,130,000.00
	Alternate 7 to Base Bid I	<u>\$ 6,900.00</u>
Total Award:		\$2,136,900.00
District:	7	

The Departments of Purchasing, Engineering, and Library recommend award of this contract to Banes General Contractors, Inc. City Council hereby finds that this Offeror has provided the Best Value Proposal to the City. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

- 24B.** Resolution that the City Council terminates and that the Director of Purchasing is authorized to notify Anna's Cleaning Services, that Contract No. 2003-092 pursuant to the provisions and requirements of Section C 8A of the Contract Clauses is terminated due to convenience, and that the termination shall be effective as of August 31, 2004.

[Purchasing Department, Byron Johnson, (915) 541-4308]

- 24C.** Request approval for the Director of Purchasing to reject the bids submitted for Bid No. 2004-210, Recycle Trailers for the Solid Waste Management Department. The Purchasing Department, Solid Waste Management Department, and Fleet Services Department recommend rejecting all bids in order to review the necessity, function, and design of this equipment after the final report from RW Beck is reviewed.

Departments: Solid Waste Department and Fleet Services Department

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

25. PUBLIC HEARING – MAYOR AND COUNCIL:

An Ordinance Amending Title 18 (Building and Construction), by creating Chapter 18.11 (Barrier Free Construction), to require Specific Design Features to create barrier-free construction in new Single Family Dwellings, Duplexes, Triplexes, and Townhomes constructed within approved subdivisions. The penalty as being provided in Chapter 1.08. [Representative Daniel S. Power, (915) 541-4189]

26. PUBLIC HEARING – MUNICIPAL SERVICES:

An Ordinance authorizing the Mayor to sign a Contract of Sale and any other necessary documents between the City of El Paso and Nicolas Rich, Jr., M.D. and Edna Rich, for the sale of a portion of Lots 1 through 7, and a closed alley, Block 229, Alexander Addition, El Paso, El Paso County. **(District 1)**
[Municipal Services, Gonzalo Cedillos, (915) 541-4202]

27. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

27A. Resolution approving Detailed Site Development Plan No. ZON03-00010, for Tract 16A1 and Tract 16A1A, A. F. Miller Survey No. 213, El Paso, El Paso County, Texas (East of Resler Drive and South of Mesa Street), pursuant to a special contract imposed by Ordinance No. 9198. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Hunt Building Corporation and Resler Interstate 10 Development Co., Inc. / Representative: Moreno Cardenas, Inc.; 2505 Missouri Avenue, Suite 100, El Paso, TX 79903. **(District 8) THIS IS AN APPEAL CASE.**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

27B. An Ordinance changing the zoning of a Portion of Tract 1, Section 44, Block 79, Township 2, T & PRRC Surveys, El Paso, El Paso County, Texas (Northwest of the intersection of Pebble Hills and Loop 375) from R-3 (Residential) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00067. Applicant: River Oaks Properties / Representative: SLI Engineering, Inc., 6600 Westwind, El Paso, TX 79912 **(District 5) THIS IS AN APPEAL CASE**

[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]

27C. An Ordinance changing the zoning of Tract 17C157, Block 79, Section 8, Township 2, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas (Joe Battle Boulevard North of Lorenzo Ruiz Avenue) from R-3 (Residential) to C-3 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant / Representative: Ramon Salais; 12216 Myrna Deckert Drive, El Paso, TX 79936. ZON04-00074 **(District 6)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

27D. An Ordinance changing the zoning of Parcel 1: A portion of Tract 44C, O. A. Danielson Survey No. 310, El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial) and imposing certain conditions; and Parcel 2: A portion of Tract 44C, O. A. Danielson Survey No. 310, El Paso, El Paso County, Texas from R-3 (Residential) to C-2 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Alameda Theatre, Inc. and Delmo and Martha Pearce Family Partnership, Ltd. / Representative: Roe Engineering, L.C.; 601 N. Cotton Avenue, Suite 6, El Paso, TX 79902 ZON04-00077 **(District 6)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

28. PUBLIC HEARING – TAX:

An Ordinance authorizing the Mayor to execute a Quitclaim (Tax Resale) Deed for .046 acre, more or less, out of Lots 31 and 32, Block 7, East El Paso Addition, Supplemental Map #1, an Addition to the City of El Paso, being more particularly described as Exhibit "B" in Volume 1642, Page 1276, Deed Records of El Paso County, Texas.

[Tax Office, Juan Sandoval, (915) 541-4369]

- 29.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 29A.** Luis L. Maldonado vs. The City of El Paso, et. al. (551.071)

[City Attorney's Office, Guadalupe Cuellar, (915) 541-4550]

- 29B.** Discussion and action on pending claim regarding Alvidrez Associates Inc.

(551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]

- 29C.** James Terrell vs. City of El Paso, et al. (551.071)

[City Attorney's Office, Lisa A. Elizondo, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

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